

## **SECTION 12: SIGN REGULATIONS**

### **12.A General Intent and Purpose.**

The purpose of this section is to provide uniform sign regulations for the City of Stephenville. Its provisions shall be held to be the minimum requirements in the installation, erection, location, alteration, replacing, improving and maintenance of all signs. It is further intended to encourage signs which are well designed; which preserve locally recognized values of community appearance; which protect public investment in and the character of public thoroughfares; which aid in the attraction of shoppers and other visitors who are important to the economy of the city; which reduce hazards to motorists and pedestrians traveling on the public roadways; and thereby to promote the public health, safety and welfare.

### **12.B Administration and Enforcement - General.**

(1) *Enforcement.* The provisions of this article shall be administered and enforced by the Building Official, and the representatives, as he or she may designate. All other officers or employees of the city shall assist and cooperate with the Building Official in administering and enforcing the provisions of this section.

(2) *Violations.* Except as otherwise provided in this ordinance, the Building Official shall notify by certified mail an owner of a sign which violates provisions of this ordinance. The owner shall remove the sign within 30 days of notification or the Building Official is hereby directed to do so according to Subsection 12.G.

(3) *Permit required.* No person shall erect, reconstruct, alter, relocate or place any sign within the city except as permitted by this section. A separate permit shall be required for a sign for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. All signs shall be constructed and maintained in compliance with this ordinance, the building and electrical codes, and all other applicable ordinances of the city.

### **12.C Sign Permit Fees.**

(1) *Fees required.* All signs erected in the city shall be subject to fees as set forth in the fee schedules as adopted by the City Council.

(2) *Double permit fees.* The application fee or a sign permit shall be doubled when the installation or alteration of a sign is commenced or completed before the necessary permit is obtained.

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### **12.D Fines for Noncompliance.**

Violators of any provision of this section shall be subject to fines set forth in the ordinance and/or signs may be removed by agents and employees of the city pursuant to the procedure set forth in Subsection 12.G and may be either stored or destroyed without liability to the city or its agents or employees. The owner of a sign confiscated by the city may claim the sign remaining in the custody of the city upon payment to the city of an administrative fee set forth in the city's fee schedule as approved by City Council.

### **12.E Exempt Signs.**

The following signs and actions shall be exempt from the requirements of this ordinance:

- (1) Seasonal decorations;
- (2) Signs erected by the city, state or federal government for the purpose of public instruction, street or highway designation, control traffic and/or similar uses incidental to the public interest;
- (3) The changing of advertising copy or message on a painted sign, including theater marquee signs and similar signs specifically designed for the use of replaceable copy, change of face panel or where the sign frame was designed for replaceable plates, shall not require a permit;
- (4) U.S., Texas or patriotic flags;
- (5) Painting, repainting or cleaning of an advertising structure or message thereon which no structural changes are required; and/or
- (6) Signs that are permitted through the Board of Adjustment for special events, outside sales or storage of merchandise.

### **12.F Prohibited Signs.**

The following signs are prohibited:

- (1) Wheeled signs;
- (2) Off Premise signs located within the City of Stephenville;
- (3) All signs in public street rights-of-way, public easements, alleys or upon any utility pole, except those signs that are exempt pursuant to Subsection 12.E;

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- (4) Signs that contain flashing lights that resemble emergency lights, strobe lights or any light(s) which may resemble a governmental emergency beacon or traffic control device;
- (5) Billboards;
- (6) Exposed neon signs in City Limits;
- (7) Neon signage in Downtown District;
- (8) Signs which use supports such as trees, rocks, bridges, fences, windmill towers, dilapidated buildings;
- (9) Signs with flashing, blinking or traveling lights which exceed 35 watt light bulbs;
- (10) Signs, sign structures or supports, that project over any property line, except a sign placed flat against the wall of the building, which is on the property line, may project 18 inches over the property line;
- (11) Search lights, twirling signs or “A” frame signs, sidewalk signs or curb signs, balloons or other gas filled objects;
- (12) Any signs which resemble an official traffic sign or signal; and
- (13) Any sign which emits sound, odor or visible matter which serve as a distraction to persons within the public right-of-way.

### **12.G Authority to Remove Signs.**

If in the opinion of the Building Official, any sign that is determined to be in violation of this ordinance shall be subject to the following:

- (1) It shall be the duty of the Building Official to observe and make note of the facts regarding all signs in violation of this section;
- (2) Notwithstanding anything contained herein to the contrary, the Building Official, or his or her designee, is authorized to immediately remove or issue a citation for any sign placed in any public right-of-way, without action by the Zoning Board of Adjustment;
- (3) All structurally unsafe signs shall be removed within ten days;
- (4) All signs shall be removed or the faces covered no later than 30 days after a business ceases operation at that location; and

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(5) Should the responsible party or parties, after due notice fail to correct a violation of this section, the Building Inspector shall cause the signs and their supports to be demolished and removed. If the sign cannot be demolished because it is painted on a building or other non-sign structure, such sign shall be painted over or removed by sandblasting. The Building Inspector shall also file against the property a lien in the amount of the cost of all work.

### **12.H Permit Requirements.**

No sign shall hereinafter be erected, constructed, enlarged, altered or removed and replaced except as otherwise provided by this code, until a permit for same has been issued by the Building Official.

(1) *Application.*

(a) Application for sign permit shall be made in writing by the party installing or constructing the sign upon forms furnished by the Building Official. Standard plans reflecting the proposed scope of work may be filed with the Building Official. The application shall contain the following:

- (1) One set of plans;
- (2) A description of the proposed sign;
- (3) All existing buildings on the property;
- (4) The location by street and number of the proposed sign structure;
- (5) The distance from the curb to the sign;
- (6) Size and height of the sign;
- (7) Whether the sign is an electrical sign;
- (8) The existing zoning of the property where the sign is to be placed;
- (9) The name, address and telephone number of the property owner;

(10) The name, address, telephone number and license number of the registered sign contractor or erector.

(b) The sign contractor must be registered in the City of Stephenville in accordance with Subsection 12.K;

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(2) *Expiration.* Every permit issued by the Building Official under the provisions of this code shall be subject to the following. The permit shall expire by limitation and become null and void if the work authorized by the permit is not commenced within six months from the date of issuance of the permit.

(a) Before work can be recommenced, a new permit must be obtained.

(b) The fee for the subsequent permit shall be one-half of the amount required for the original permit, provided no changes have been made in the original plan specifications for the work and that the suspension or abandonment has not exceeded one year.

### 12.I Sign Types.

Sign types are listed below and shall be as shown on the illustration entitled “Sign Types”. Please refer to the sign chart to review the allowed zoning districts.

(1) *Permanent sign types (permit required).* Permanent sign types shall include the following:

- (a) Commercial pole signs;
- (b) Monument pole signs;
- (c) Monument signs;
- (d) Wall signs;
- (e) Hanging signs; and
- (e) Secondary signs.

(2) *Temporary sign types (permit not required).* Temporary sign types shall include the following:

- (a) Banners;
- (b) Commercial real estate signs;
- (c) Political signs;
- (d) Flags;
- (e) Garage sale signs; and
- (f) Decorative pennants.
- (g) Sandwich signs

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### **12.J Measurement of Signs.**

(1) *Measurement of detached signs.* The sign area for a detached on-premise sign shall be the area included within vertical and horizontal line projection of any logo, letters or other symbols intended to be read together, composed of the total area of the message and any border, trim or surface upon which the message is displayed. There may be several sign areas on the wall of a building upon which a sign is displayed.

(2) *Measurement of attached signs.* The sign area for an attached on-premise sign shall be the area included within the vertical and horizontal line projection of any logo, letters or other symbols intended to be read together, composed of the total area of the message and any border, trim or surface upon which the message is displayed. There may be several sign areas on the wall of a building depending upon how a sign is displayed.

### **12.K Registration and Licensing.**

(1) *Registration.* Any person, firm, business or other organization consisting of sign erectors shall apply to the City of Stephenville Inspection Department for a license. Each registration shall be renewed annually on or before January 1. Each application shall be accompanied by fees as set forth in the city fee schedule as adopted by the City Council.

(2) *Cancellation of license.*

(a) Upon violation of any licensee under this section or any other ordinance related to signs or a violation of any provision of this ordinance, such person so convicted shall have his license automatically suspended for a period of:

- (1) Thirty days from the first violation;
- (2) One year from the second violation; and
- (3) Two years from the third violation.

(b) During the time of suspension, a license shall be null and void. After the termination of a period of suspension, provided the suspension is for less than two years, the license shall again be valid and effective, provided that renewal fees which may have become due thereon as were paid when due.

(c) If, within any three-year period, a licensee shall have been convicted three or more times for a violation of any of the provisions of this section or any other ordinance related to signs, the license shall automatically be revoked and cancelled, and upon the revocation and cancellation, the license shall be and become null and void and cannot be renewed.

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(3) *Failure to pay fees.* Any licensee who fails to pay annual fee due for a renewal of the required license within 30 days of the renewal date shall be required to pay a renewal fee twice the amount of the annual fee.

(4) *Transfer prohibited.* It shall be unlawful for any licensee to permit his or her name or license to be used by any other person, firm or corporation, directly or indirectly, for the purpose of obtaining a permit or for performing work.

(5) *Qualifications.* Any sign contractor who is issued a license to erect or maintain a sign, or any part of a sign, operated by electricity, must be a licensed master electrician or a master sign electrician or he or she must have in his or her employ at the time the sign is erected or maintained, a duly qualified licensed master electrician or master sign electrician.

(6) *Proof of insurance.* No license for installation, erection and/or maintenance of signs shall be issued to any person, nor shall any person install, erect or maintain any sign or medium of display or advertising, electric or otherwise, until the person has filed with the city's Permit Department a proof of insurance for the sum of \$300/\$100,000. The insurance shall be approved by the Building Official or his or her designated agent, and shall be conditioned for the installation and erection of signs in accordance with the ordinances of the city and laws of the state.

(7) *Identification required.* Every licensed sign company shall have its company name and erector license number affixed to each front door of each truck or vehicle operated in connection with the erection and maintenance of signs within the city in letters not less than two and one-half inches in height. The name and number shall be the same on all vehicles so operated by any one licensed sign erector. The name and number shall not be of the plastic magnetic type.

See table on following page.

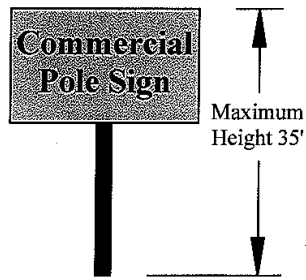
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TYPE OF SIGN		PERMIT	DISTRICTS	MAXIMUM AREA	MAX. HEIGHT	# OF SIGNS	SETBACK	REQUIREMENTS
PERMANENT SIGNS								
POLE SIGNS								
COMMERCIAL POLE SIGNS	YES	B2, B3, B4, B5, I	0.40 SQ. FT PER FRONT LINEAR FT OF LOT	35 FEET	1 PER STREET FRONTAGE	15 FEET FROM CURB OR EDGE OF PUBLIC STREET		
MONUMENT POLE SIGNS	YES	B1, B2, B3, B4, B5, I	0.40 SQ. FT PER FRONT LINEAR FT OF LOT	25 FEET	1 PER STREET FRONTAGE	10 FEET FROM PROPERTY LINE	POLE MUST BE ENTIRELY COVERED BY MATERIAL TO MATCH OR COMPLEMENT BUILDING	
MONUMENT SIGNS	YES	DT, RE, R-HA, R1, R-1.5, R2, R3, MH	18 SQ. FT	3 FEET	1 PER LOT	15 FEET FROM CURB OR EDGE OF PUBLIC STREET	ADDRESSING DEVELOPMENT TITLE	
WALL SIGNS								
WALL SIGNS w/o POLE SIGN	YES	B1, B2, B3, B4, B5, I	15% OF WALL	3 FEET ABOVE BUILDING ROOF	15% PER WALL	N/A		
WALL SIGNS w/ POLE SIGN	YES	B1, B2, B3, B4, B5, I	10% OF WALL	3 FEET ABOVE BUILDING ROOF	10% PER WALL	N/A		
WALL & HANGING SIGNS w/o POLE SIGN	YES	DT	20% OF WALL	3 FEET ABOVE BUILDING ROOF	20% PER WALL	N/A	HANGING SIGN MUST HAVE A MINIMUM OF 8 FEET FROM THE GROUND LEVEL	
RESIDENTIAL WALL SIGN	YES	DT, RE, R-HA, R1, R-1.5, R2, R3, MH	1 SQ. FT	N/A	N/A	N/A	NON-LIGHTED	
SECONDARY SIGNS								
DIRECTIONAL SIGNS	YES	DT, B1, B2, B3, B4, B5, I	3 SQ. FT	2.5 FEET	2	PROPERTY LINE		
READER/MENU BOARD	YES	B2, B3, B4, B5, I	50 SQ. FT	N/A	2	N/A		
TEMPORARY SIGNS								
BANNERS	NO	DT, B1, B2, B3, B4, B5, I	N/A	TOP OF ROOF EAVE	N/A	N/A	ALLOWED FOR 30 DAYS	
POLITICAL	NO	N/A	N/A	N/A	N/A	STATE REQUIREMENTS		
COMMERCIAL REAL ESTATE / LEASING SIGNS	NO	DT, B1, B2, B3, B4, B5, I	32 SQ. FT	10 FEET	1 PER STREET FRONTAGE	15 FEET FROM CURB OR EDGE OF PUBLIC STREET		
RESIDENTIAL REAL ESTATE / LEASING SIGNS	NO	DT, RE, R-HA, R1, R-1.5, R2, R3, MH	10 SQ. FT	4 FEET	1 PER LOT	15 FEET FROM CURB OR EDGE OF PUBLIC STREET		
FLAGS	NO	ALL	N/A	N/A	N/A	N/A		
GARAGE SALE SIGNS	NO	ALL	2 SQ. FT	N/A	N/A	N/A		
DECORATIVE PENNANTS	NO	DT, B1, B2, B3, B4, B5, I	N/A	TOP OF ROOF EAVE	N/A	N/A		
SANDWICH BOARDS	NO	DT	10 SQ. FT	N/A	1	MAINTAIN 4FT OF PEDESTRIAN WALKWAY	ALLOWED DURING REGULAR BUSINESS HOURS	



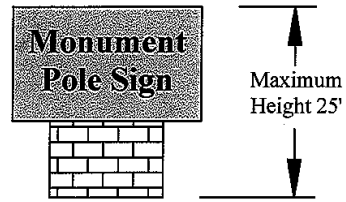
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0.40 Sq. Ft per Front Linear Fr of Lot



DISTRICTS B-2, B-3, B-4,  
B-5, I

0.40 Sq. Ft per Front Linear Fr of Lot



DISTRICTS B-1, B-2, B-3, B-4,  
B-5, I

18 SQ. FT



DISTRICT DT, RE, R-HA,  
R-1, R-1.5, R-2, R-3, MH

Directional Sign

3 SQ. FT



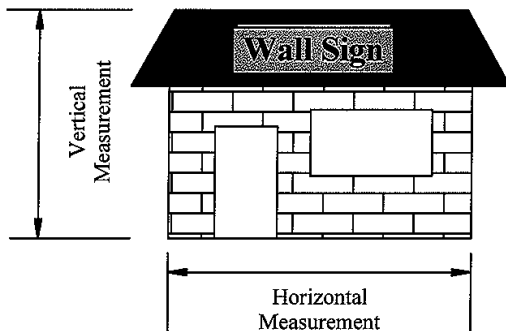
DISTRICT DT, B-1, B-2,  
B-3, B-4, B-5, I

50 SQ. FT



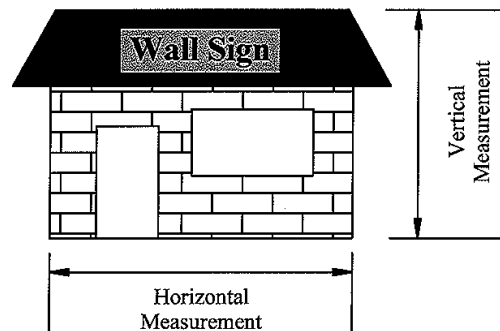
DISTRICT B-2, B-3, B-4, B-5, I

Wall Sign w/o Pole Sign  
15% of Wall Space



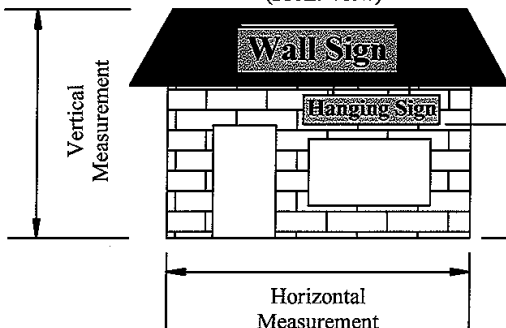
DISTRICT B-1, B-2, B-3, B-4, B-5, I

Wall Sign w/ Pole Sign  
10% of Wall Space



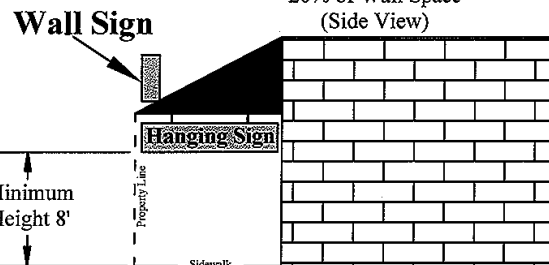
DISTRICT B-1, B-2, B-3, B-4, B-5, I

Wall & Hanging Sign w/o Pole Sign  
20% of Wall Space  
(Front View)



DISTRICT DT

Wall & Hanging Sign w/o Pole Sign  
20% of Wall Space  
(Side View)



DISTRICT DT

The Vertical & Horizontal Measurements  
must be provided on the same side as the  
existing and proposed signage.

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